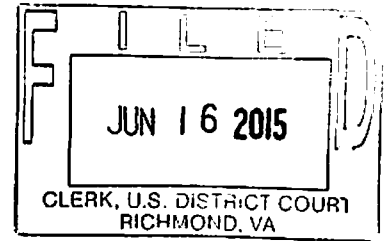


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



DOUGLAS WEAKLEY,

Plaintiff,

v.

Civil Action No. 3:14cv785

HOMELAND SECURITY
SOLUTIONS, INC.,

Defendant.

ORDER

By Orders entered herein on April 9 and March 6, 2015 the following motions were referred to Magistrate Judge Roderick C. Young for report and recommendation:

- DEFENDANT HSSI'S MOTION TO DISMISS (Docket No. 6)
- PLAINTIFFS [sic] REQUEST TO AMEND SUPPLEMENT (Docket No. 12)
- DEFENDANT HOMELAND SECURITY SOLUTIONS, INC.'S MOTION TO DISMISS PLAINTIFF'S AMAENDED COMPLAINT (Docket No. 18)
- DEFENDANT HOMELAND SECURITY SOLUTIONS, INC.'S MOTION TO STRIKE PLAINTIFF'S "RESPONSE TO DEFENDANT'S REPLY BRIEF IN SUPPORT OF ITS MOTION TO DISMISS" (Docket No. 29)

Having reviewed the REPORT AND RECOMMENDATION of the Magistrate Judge (Docket No. 33) entered herein on May 19, 2015, the plaintiff's objections to the REPORT AND RECOMMENDATION (Docket No. 34), DEFENDANT HOMELAND SECURITY SOLUTIONS, INC.'S RESPONSE TO

PLAINTIFF'S OBJECTION TO THE MAGISTRATE'S REPORT AND RECOMMENDATION (Docket No. 35), and having considered the record and the REPORT AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that:

(1) The plaintiff's objections to the REPORT AND RECOMMENDATION are overruled;

(2) The REPORT AND RECOMMENDATION of the Magistrate Judge (Docket No. 33) is ADOPTED on the basis of the reasoning of the REPORT AND RECOMMENDATION;

(3) DEFENDANT HSSI'S MOTION TO DISMISS (Docket No. 6) is denied as moot;

(4) PLAINTIFFS [sic] REQUEST TO AMEND SUPPLEMENT (Docket No. 12) is granted; and the Complaint (Docket No. 3) and the Request to Amend (Docket No. 12) collectively are construed as the plaintiff's Amended Complaint;

(5) DEFENDANT HOMELAND SECURITY SOLUTIONS, INC.'S MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT (Docket No. 18) is granted;

(6) DEFENDANT HOMELAND SECURITY SOLUTIONS, INC.'S MOTION TO STRIKE PLAINTIFF'S "RESPONSE TO DEFENDANT'S REPLY BRIEF IN SUPPORT OF ITS MOTION TO DISMISS" (Docket No. 29) is granted and the PLAINTIFF'S RESPONSE TO DEFENDANTS [sic] REPLY BRIEF IN SUPPORT OF ITS MOTION TO DISMISS: DATED Feb 16, 2015 AND CONCLUSION TO PURTANANT [sic] FACTS OF CASE (Docket No. 28) is stricken and the Court will

not consider the response; and


(7) The Amended Complaint (Docket Nos. 3 and 12, collectively) and the case are dismissed with prejudice.

The issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

This Order may be appealed by the plaintiff. Any appeal from this decision must be taken by filing a written notice of appeal with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a timely notice of appeal may result in the loss of the right to appeal.

The Clerk is directed to send a copy of this Order to the plaintiff.

It is so ORDERED.

/s/ 

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: June 16, 2015